IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 13538 OF 2007
AND
WRIT PETITON NOS. 13589 & 13590 OF 2007

Dated : JULY 12, 2007

Between:

Smt. Katchala Venkata Ramana
Petitioner in WP 13538 of 2007
Katchala Doraswamy
Petitioner in WP 13589 of 2007
Krovi Venkateswari
Petitioner in WP 13590 of 2007

AND

The Station House Officer,
Lalapet Law & Order Police Station,
Guntur and another
Respondent in WP No.13538 of 2007
The State Rep. By the Superintendent of Police,
Guntur District, Guntur and two others
Respondents in WP No.13589 & 13590 of 2007

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
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ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.APPA RAO)**

Heard Mr. A.V. Kondaiah, learned counsel for the petitioners in W.P. Nos. 13589 and 13590 of 2007 and the learned Government Pleader for Home on behalf of the respondents.

2. Writ Petition No. 13538 of 2007 is taken up on the basis of a 'Telegram', dated 24.06.2007, sent by Smt. Katchala Venkata Ramana, wife of the alleged detenue Katchala Krishna, while Writ Petition No. 13589 of 2007 is filed by the father of alleged detenue, seeking a direction to the respondents to produce the said Katchala Krishna, who was taken away by the respondent police on 24.6.2007.

The Writ Petition No.13590 of 2007 is filed by one Krovi Venkateswari seeking a writ of Habeas Corpus directing the respondents 1 to 3 therein to produce her father Krovi Dharma Rao and her paternal uncles namely Sri Krovi Venkata Subba Rao and Krovi Seetha

Ramanjeyulu, who were alleged to have been taken away by the respondent police illegally on 23.6.2007 from their respective houses and were detained illegally since then and the petitioners herein apprehend dangers to the lives of the alleged detenues. Since all these petitions pertain to the same crime number, they are taken up for common disposal.

3. In response to the notices issued by this Court, the respondent No.3 – Sub-Inspector of Police, Lalapet Law and Order Police Station, Guntur, field counter-affidavit stating, *inter alia*, that the alleged detenues are accused Nos. 1,6,7 and 8 in Cr. No. 167 of 2007, initially registered under *Man Missing* but subsequently the sections of law altered to Sec.120-B, 302, 341 and 201 IPC. It is further stated that the alleged detenues were arrested on 28.6.2007 and produced before the learned IV Addl. Munsif Magistrate, Guntur on 29.6.2007 who, in turn, remanded them to judicial custody and presently they are lodged in District Jail, Guntur.

The learned counsel for the petitioners contended that since the arrest of alleged detenues itself was illegal, which is evident from various newspaper clippings besides report of the Advocate – Commissioner, therefore, they are entitled to be released.

If the petitioners are aggrieved of their arrest on the ground that it is illegal, they are liberty to take steps enjoined under both civil and criminal law, if they are so advised. However, considering the fact that the alleged detenues are remanded to judicial custody in connection with Cr. No. 67 of 2007, we do not see any justifiable ground to proceed in the matter any further.

9. Consequently, the writ petitions are liable to be dismissed and are accordingly dismissed. No order as to costs.

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D.S.R.Varma, J.

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D.Appa Rao, J.

July 12, 2007
MAS